

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**KRIS LUTTRELL,
Plaintiff,**

v.

**LAZY DOG RESTAURANTS, LLC,
Defendant.**

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CIVIL ACTION NO. _____

DEFENDANT'S NOTICE OF REMOVAL

Defendant **LAZY DOG RESTAURANTS, LLC** (hereafter "Defendant") files this Notice of Removal for the purpose of removing this cause to the United States District Court for the Eastern District of Texas, Sherman Division, and states as follows:

I. STATE COURT ACTION

This is an action filed on or about December 6, 2019 in the 471st District Court of Collin County, Texas, being numbered 471-06807-2019. Suit was filed by Plaintiff Kris Luttrell (hereafter "Plaintiff") to recover damages arising out of a premises liability fall occurring on or about February 15, 2018, in Dallas County, Texas. Plaintiff alleges damages and seeks monetary relief in excess of \$the jurisdictional limits of the Court. The style of the case is State Court is:

CAUSE NO. 471-06807-2019

**KRIS LUTTRELL,
Plaintiff,**

v.

**LAZY DOG RESTAURANTS, LLC,
Defendant.**

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IN THE DISTRICT COURT OF

COLLIN COUNTY, TEXAS

471ST JUDICIAL DISTRICT

II. FEDERAL JURISDICTION

Plaintiff Kris Luttrull is a citizen of the state of Texas for diversity purposes.

Defendant Lazy Dog Restaurants, LLC is incorporated under the laws of Delaware and has its principal place of business located 3337 Susan Street, Suite 100, Costa Mesa, California 92626. It is thus a citizen of Delaware and/or California for diversity purposes.

The amount in controversy is in excess of \$75,000.00, exclusive of interest and costs. There is, therefore, complete diversity of citizenship and a sufficient amount in controversy to confer jurisdiction on this court pursuant to 28 U.S.C. §1332. The above-described civil action is therefore one that may be removed pursuant to 28 U.S.C. §§1332, 1441, and 1146 and is hereby removed.

III. STATE COURT DOCUMENTS ATTACHED

This Notice of Removal has been filed within thirty (30) days after receipt through service or otherwise, of Plaintiff's Original Petition, filed in the 471st District Court of Collin County, Texas. Plaintiff's Original Petition was served on Defendant Lazy Dog Restaurants, LLC on December 12, 2019. Removal is therefore timely under 28 U.S.C. §1446(b). Pursuant to 28 U.S.C. § 1446(a), Defendant has filed as the Appendix to this Notice of Removal a complete copy of the State Court's file, including copies of all process, pleadings, orders and the Summary Sheet in the State Court action.

Pursuant to 28 U.S.C. § 1446(d), Defendant will notify the Clerk of the Court in the State Court action of this removal and will give notice thereof to all adverse parties.

IV. RELIEF REQUESTED

Defendant Lazy Dog Restaurants, LLC respectfully requests that Cause No. 471-06807-2019 in the 471st District Court of Collin County, Texas, be removed to the United States District

